

Application No.: 10/810,722

Docket No.: 22241-00001-US

REMARKS

Claims 1, 3-7, 10 and 27 are pending in the present application. Claim 1 has been amended and claim 27 has been added by way of the present amendment. Reconsideration is respectfully requested.

In the outstanding Office Action, election with traverse of group II (claims 1, 3-7 and 10) was acknowledged; claims 1, 3 and 5-7 were rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 6,102,423 (Beck); claim 4 was rejected under 35 U.S.C. § 103(a) as unpatentable over Beck in view of U.S. Patent No. 5,784,213 (Howard); and claim 10 was rejected under 35 U.S.C. § 103(a) as unpatentable over Beck in view of U.S. Patent No. 5,482,310 (Staggs).

35 U.S.C § 102 Rejections

Claims 1, 3 and 5-7 were rejected under 35 U.S.C. § 102(b) as anticipated by Beck. Applicant respectfully traverses the rejection.

Claim 1 has been amended to clarify the invention. In particular, claim 1 has been amended to recite:

at least one angulated position holder formed with discrete stepwise meshing components and capable of consistent discrete stepwise movement ~~rotatably coupled to said substrate and adapted to receive said shaft; and~~

a support structure coupled to said substrate,
wherein said at least one angulated position holder is rotatably coupled to said substrate and adapted to receive said shaft, located between said substrate and said support structure to facilitate rotational movement of said substrate relative to said support structure, and

wherein the mirror is rotated through a predetermined quantity of meshing components for alignment.

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Support for the amendment is provided at least at paragraph 33, lines 8-22; and shown at least in FIG. 2, reference 120f, of the published application. Therefore, it is submitted that the amendment raises no questions of new matter.

Beck discloses a visual alignment aid for connecting the ball of the hitch on a towing vehicle to the socket on the tongue of the trailer is a device constructed of three components which are connected to each other by hinges.¹ In particular, Beck discloses a rectangular frame 301 has two movable components 302 and 303 hinged thereto so that they can nestle within each other.² Further, Beck discloses the component 302 can be a flat piece of material and that component 302 carries a convex mirror 323.³ Moreover, Beck discloses the component 303 has suction cups 312 mounted thereon by screws or bolts 313.

However, Beck nowhere discloses as amended claim 1 recites:

at least one angulated position holder *formed with discrete stepwise meshing components and capable of consistent discrete stepwise movement*; and
a support structure coupled to said substrate,
wherein said at least one angulated position holder is rotatably coupled to said substrate and adapted to receive said shaft, located between said substrate and said support structure to facilitate rotational movement of said substrate relative to said support structure, and
wherein *the mirror is rotated through a predetermined quantity of meshing components for alignment* (emphasis added).

That is, Beck nowhere discloses the “discrete stepwise meshing components” nor that “the mirror is rotated through a predetermined quantity of meshing components for alignment.” Therefore, it is respectfully submitted that Beck does not disclose, anticipate or inherently teach the claimed invention and that claim 1, and claims dependent thereon, patentably distinguish thereover.

¹ Beck at ABSTRACT.

² *Id.* at column 7, lines 30-32.

³ *Id.* at column 7, lines 32-35.

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35 U.S.C. § 103 Rejections

Claim 4 was rejected under 35 U.S.C. § 103(a) as unpatentable over Beck in view of Howard. Applicant respectfully traverses the rejection.

Claim 4 is ultimately dependent upon claim 1. As discussed above Beck does not disclose the invention of claim 1. Thus, at least for the reasons discussed above, Beck also does not disclose the invention of claim 4.

In addition, the outstanding Office Action acknowledges other deficiencies of Beck in paragraph 5 of page 4 and attempts to cure these deficiencies with Howard. However, Howard cannot cure all of the deficiencies of Beck, as will be discussed below.

Howard discloses an accessory mirror apparatus that can be mounted on the tailgate, trunk, rear window or other part of a tow vehicle, and oriented to enable the driver of the tow vehicle to see a reflection of the trailer tongue in the mirror while backing up.⁴ However, Howard nowhere discloses as amended claim 1 recites:

at least one angulated position holder *formed with discrete stepwise meshing components and capable of consistent discrete stepwise movement*; and

a support structure coupled to said substrate, wherein said at least one angulated position holder is rotatably coupled to said substrate and adapted to receive said shaft, located between said substrate and said support structure to facilitate rotational movement of said substrate relative to said support structure, and

wherein *the mirror is rotated through a predetermined quantity of meshing components for alignment* (emphasis added).

That is, Howard nowhere discloses the “discrete stepwise meshing components” nor that “the mirror is rotated through a predetermined quantity of meshing components for alignment.”

Thus, Howard cannot overcome all of the deficiencies of Beck. Therefore, it is respectfully

⁴ Howard at ABSTRACT.

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submitted that neither Beck nor Howard, whether taken alone or in combination, disclose, suggest or make obvious the claimed invention and that claim 4, and claims dependent thereon, patentably distinguish thereover.

Claim 10 was rejected under 35 U.S.C. § 103(a) as unpatentable over Beck in view of Staggs. Applicant respectfully traverses the rejection.

Claim 10 is ultimately dependent upon claim 1. As discussed above Beck does not disclose the invention of claim 1. Thus, at least for the reasons discussed above, Beck also does not disclose the invention of claim 10.

In addition, the outstanding Office Action acknowledges other deficiencies of Beck in paragraph 6 of page 4 and attempts to cure these deficiencies with Staggs. However, Staggs cannot cure all of the deficiencies of Beck, as will be discussed below.

Staggs discloses a trailer hitch mirror alignment device including a mounting bracket; a pair of space rigid linear telescopically adjustable legs, each leg having an upper end and a lower end and with the lower ends of the legs pivotally and adjustably coupled to the mounting bracket; a mirror pivotally and adjustably coupled between the upper ends of the legs; and a magnet coupled to the mounting bracket and removably securable to a recipient metal surface, particularly a rear of a vehicle with a hitch coupled thereto.⁵ However, Staggs nowhere discloses as amended claim 10 recites:

at least one angulated position holder *formed with discrete stepwise meshing components and capable of consistent discrete stepwise movement*; and

a support structure coupled to said substrate,
wherein said at least one angulated position holder is rotatably coupled to said substrate and adapted to receive said shaft, located between said substrate and said support structure to facilitate rotational movement of said substrate relative to said support structure, and

⁵ Staggs at ABSTRACT.

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wherein the mirror is rotated through a predetermined quantity of meshing components for alignment (emphasis added).

That is, Staggs nowhere discloses the “discrete stepwise meshing components” nor that “the mirror is rotated through a predetermined quantity of meshing components for alignment.” Thus, Staggs cannot overcome all of the deficiencies of Beck. Therefore, it is respectfully submitted that neither Beck nor Staggs, whether taken alone or in combination, disclose, suggest or make obvious the claimed invention and that claim 10, and claims dependent thereon, patentably distinguish thereover.

New Claim

New claim 27 has been added to further clarify the invention. Support for the new claim is provided at least at paragraph 33, lines 11-17 of the specification. Thus, the new claim raises no question of new matter. New claim 27 is dependent upon claim 1. Therefore, at least for the reasons discussed above, claim 27 patentably distinguishes over the applied art and is allowable.

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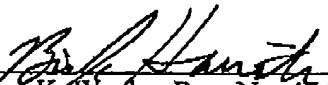
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Conclusion

Based on the above amendments and arguments, Applicant respectfully submits that the application is in condition for allowance. If a fee is due, please charge Deposit Account No. 22-0185, under Order No. 22241-00001-US, from which the undersigned is authorized to draw.

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Respectfully submitted,

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